

REMARKS

In the above-identified Office Action the Examiner has rejected claims 1-44 as being indefinite based on certain noted phrases. Applicant has amended the claims so that such phrases are now considered definite and as such acceptable under 35 U.S.C. 112. More specifically the phrase “spherical-cap like” has been changed to “spherical”, “the center point” has been changed to “a center point” and “pivoting point” and “center point” have been deleted. “Pivoting movement” in claim 1 has been deleted, “the separating cut” has been changed to “a separating cut”, “and the machine” has been deleted. Finally, “the outside” in claim 39 has been changed to “an outer periphery of spherical separating body”.

Claims 1-6, 8-15, 32-37 and 40-44 have been rejected as clearly anticipated by Lipkins. Applicant has amended claims 1, 8, 12 and 41 so that these claims now recite over the art. More specifically, claim 1 recites the additional step of arranging the cutting element on the circumference of the separating body and providing a vibration damping construction to the separating body, incorporating the feature of claim 31 indicated by the examiner as allowable. Further, claim 12 has been amended to incorporate the step from claim 15 of providing the basic body with two optical blanks for lenses so that a concave side of the first lens and a convex side of a second lens can be produced simultaneously. In the same manner claim 41 has been amended so that it also recites such limitations.

In addition, claims 7 and 38 have been rejected as being unpatentable over Lipkins. Claim 7 is ultimately dependant upon claim 1 which has been amended so as to recite over the art as set forth above.

The Examiner has rejected claim 38 noting that Lipkins does not teach the cutting elements were arranged irregularly but stating that it would have been obvious to arrange the cutting elements in a degree of irregularity sought for the particular task being performed. The Examiner has not provided any support in the way of prior art for this statement and accordingly Applicant believes that claim 38 as incorporated into new claim 46 should be allowable. Applicant notes that vibration dampening construction in the separating body is also recited claim 46 and therefore should be allowable as such.

Claim 39 has been rejected as unpatentable over Lipkins '947 in view of Lipkins 952 Insofar as claim 39 is dependent upon claim 12 which has been amended so as to be rendered allowable as set forth above, Applicant believes claim 39 is now allowable as well.

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Applicant notes that claims 16-31 have been objected to as dependent upon a rejected base claim but allowable to be written in an independent form. Applicant has amended the claims so that they have been written in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, these claims are now considered allowable.

Applicant hereby requests reconsideration and reexamination thereof.

With the above amendments and remarks, this application is considered ready for allowance and Applicant earnestly solicits an early notice of same. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to call the undersigned at the below-listed number.

Respectfully submitted,

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Date: August 15, 2006

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